

Court No. - 92

Case :- APPLICATION U/S 482 No. - 44899 of 2023

Applicant :- Manoj Kumar Singh

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Satish Mohan Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Satish Mohan Tiwari, learned counsel for the applicant and Sri Uday Bhan, learned A.G.A. for the State.

2. The instant application under Section 482 Cr.P.C. has been filed seeking quashing order dated 06.09.2023 in maintenance Case No. 705 of 2022 (Priyanka Singh and another vs. Manoj Kumar Singh) u/S 125 Cr.P.C., P.S.- Kotwali, District- Deoria.

3. Learned counsel for the applicant submits that the opposite party no.2 is the wife of the applicant and the opposite party no.3 is the son of the applicant herein. On an Application u/S 125 Cr.P.C., filed by the opposite party nos. 2 and 3, learned Family Court, Deoria, has granted interim maintenance at the rate of Rs. 6,000/- and Rs. 4,000/- per month to the opposite party nos. 2 and 3 respectively, against which the instant application has been filed. Learned counsel for the applicant further submits that there are other cases also pending between the parties. Therefore, he wants the matter to be referred to the mediation before this Court.

4. From the record it is apparent that both the parties are resident of Deoria. Therefore, in the considered opinion of this Court there is no point in calling the parties here, whereas the mediation facilities are already available in the District Court, Deoria.

5. Therefore, the instant application is ***disposed of*** with direction to the applicants to clear all the amount payable as maintenance to the opposite party nos. 2 and 3 and thereafter, apply to the concerned family Court for referring the matter for mediation to district Mediation Centre at Deoria.

Order Date :- 15.12.2023

Shubham Arya